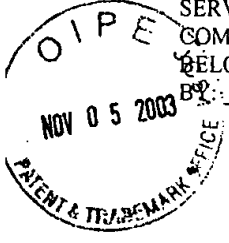


41

1645

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: MAIL STOP NON-FEE AMENDMENT, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON THE DATE INDICATED BELOW.



BY: Camela Light DATE: November 3, 2003

**PATENT  
MAIL STOP NON-FEE AMENDMENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re:	Patent Application of Simon J. Rhodes, <i>et al.</i>	: Group Art Unit: 1645
Appln. No.:	09/932,367	: Examiner: Robert A. Zeman
Filed:	August 17, 2001	:
For:	GENERATION OF DIAGNOSTIC TOOLS TO ASSAY THE HUMAN LHX3/P-LIM/LIM-3 FACTOR	: Attorney Docket No. 053884-5003

**RECEIVED**  
NOV 06 2003  
TECH CENTER 1600/2900

**RESPONSE TO RESTRICTION REQUIREMENT**

This Response is responsive to the Restriction Requirement mailed October 6, 2003 (Paper No. 7), in the above-captioned application. This Response is being timely filed.

Responsive to the Restriction Requirement, Applicants hereby elect to prosecute the claims of Group V, claims 1-3, 5-9, 16 and 18, drawn to nucleic acids with a sequence with at least 80% identity to SEQ ID NO:9, kits and vectors containing nucleic acids and recombinant cells containing said vectors.

This election is made without traverse and without prejudice to the inclusion of the subject matter of the non-elected claims in any later filed divisional application.

Favorable examination of claims 1-3, 5-9, 16 and 18 is respectfully requested.

Respectfully submitted,

**SIMON J. RHODES *ET AL.***

November 3, 2003  
(Date)

By: *Raquel M. Alvarez*  
**RAQUEL M. ALVAREZ, Ph.D, J.D.**  
Registration No: 45,807  
**MORGAN, LEWIS & BOCKIUS, LLP**  
1701 Market Street  
Philadelphia, PA 19103-2921  
Telephone: (215) 963-5000  
**Direct Dial: (215) 963-5403**  
Facsimile: (215) 963-5001  
E-Mail: ralvarez@morganlewis.com  
Attorney for Applicants

RMA/QDN

**BEST AVAILABLE COPY**